

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

BRANDON RODRIGUEZ,)
)
Plaintiff,)
)
v.) Case No. 1:25-cv-00029-SNLJ
)
GRINNELL SELECT INSURANCE)
COMPANY,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's Motion to Compel Discovery [Doc. 8]. Plaintiff seeks an Order overruling defendant's Objections to Interrogatories and Requests for Production of Documents and compelling defendant to make complete responses to the discovery requests. [*Id.*]. Defendant opposes the motion on several grounds. [Doc. 18].

Federal Rule of Civil Procedure 37(a) allows a party seeking discovery to move for an order compelling disclosure or discovery. A motion under Rule 37(a) "must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Similarly, Local Rule 3.04 provides:

The Court will not consider any motion relating to discovery and disclosure unless it contains a statement that movant's counsel has conferred in person or by telephone with the opposing counsel in good faith or has made reasonable efforts to do so, but that after sincere efforts to resolve their dispute, counsel are unable to reach an accord. This statement also shall recite the date, time and manner of such

conference, and the names of the individuals participating therein, or shall state with specificity the efforts made to confer with opposing counsel.

See E.D. Mo. L.R. 3.04. Plaintiff's motion does not include the certification of a good faith effort to resolve the discovery dispute with opposing counsel required by Rule 37(a) and Local Rule 3.04.¹ As a result, the motion must be summarily denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's Motion to Compel Discovery [Doc. 8] is **DENIED**.

SO ORDERED on this 10th day of June, 2025.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE

¹ The Court recognizes that the Motion to Compel was originally filed in state court and then subsequently filed in this Court when the case was removed on February 3, 2025. That said, plaintiff did not withdraw the motion or file an amended motion stating compliance with Rule 37(a) or Local Rule 3.04.